

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

POGA MGMT PTNRS LLC,  
Plaintiff,  
v.  
MEDFILER LLC, et al.,  
Defendants.

Case No. [12-cv-06087-SBA](#) (NJV)

**ORDER ON PLAINTIFF'S  
OPPOSITION TO MOTION**

Re: Dkt. No. 120

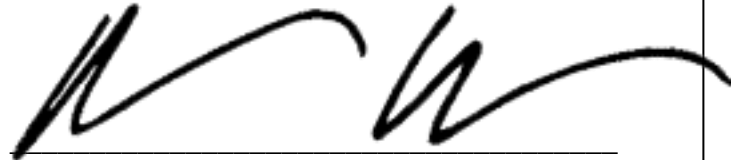
Although not filed as a motion to reconsider or vacate, Plaintiff has filed a Memorandum of Opposition, in which Plaintiff requests this court vacate its Order of June 11, 2015, which canceled the settlement conference set for June 17, 2015. *See* (Doc. 120). The court issued the Order that cancelled the settlement conference and reset the matter for a status conference upon consideration of Defendants' Motion to Continue. (Doc. 118). Plaintiff's present concern is that the court did so prior to allowing Plaintiff to file an opposition.

The court considered the request made by Defendants, Defendants' representation that Plaintiff opposed the request (the court is well aware of the benefits of early settlement of a case to both the parties and the court and whether early settlement conferences can be productive), Defendants' assertion that a settlement conference would be unproductive prior to the issuance of an order on summary judgment, and the fact that the settlement conference was scheduled to occur within four business days of the request to cancel. After taking all of these issues into consideration the court determined that the best course was to grant the continuance.

Now, after consideration of Plaintiff's Memorandum of Opposition, the court's opinion remains unaltered.<sup>1</sup> Accordingly, it is ORDERED that the request to vacate the court's Order of June 11, 2015 is DENIED.

**IT IS SO ORDERED.**

Dated: June 15, 2015



NANDOR J. VADAS  
United States Magistrate Judge

United States District Court  
Northern District of California

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<sup>1</sup> The court notes that while counsel and the parties are subject to the provisions of the Local Rules, the court certainly is not. The court may run its calendar and manage its recourses as it sees fit. The court's Order of June 11, 2015, pursuant to L.R. 7-11(c), supersedes any opposition deadlines.